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Letter dated 17 January 2006 from the Secretary-General addressed to the President of the Security Council

With reference to the statement by the President of the Security Council of 13 July 2005 (S/PRST/2005/31), I have the honour to transmit to you the final investigation report of the United Nations Organization Mission in the Democratic Republic of the Congo, concerning the events that took place on 9 July 2005 in the village of Kabingu in South Kivu.

I would like to take this opportunity to reiterate my grave concern about continuing human rights abuses in the Democratic Republic of the Congo. As the Security Council has noted in several of its resolutions and presidential statements pertaining to the Democratic Republic of the Congo, impunity must be brought to an end, and perpetrators of crimes such as those highlighted in the attached report (see annex) brought to justice.

I should be grateful if you would make the present letter and its annex available to the members of the Security Council.

(*Signed*) Kofi A. **Annan**

06-21479 (E) 310106

Annex

Investigation report of the United Nations Organization Mission in the Democratic Republic of the Congo on the attack on Kabingu village in South Kivu on 9 July 2005

I. Summary

1. From 12 to 20 July 2005, a multidisciplinary team from the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) conducted an investigation into an attack that took place on the evening of 9 July 2005 by a group of armed Rwandan elements against the village of Kabingu, *localité* of Mamba, *groupement* of Fendula, *collectivité* of Kalonge, in Bunyakiri territory, approximately 60 km north-west of Bukavu in the province of South Kivu.

2. Based on the testimony gathered, the team was able to confirm that over 50 civilians were killed in the attack. Over 40 victims, mostly women and children, were either burned alive in their huts or killed by machete blows while trying to escape. Fifteen others were injured, six of whom later succumbed to their injuries at local health centres, and 11 women were raped during the course of the attack. Widespread looting was also reported.

3. Eyewitnesses indicated that the perpetrators were a group of approximately 30 well armed Rwandans from an area near Kahuzi-Biega National Park, approximately 20 km north-west of Bukavu. Local sources accused the same group of being responsible for a massacre in Nindja, Ihembe *groupement*, in Kabare territory, on 23 May 2005, during which at least 14 civilians were killed.

4. Local witnesses suggested that the attack on Kabingu may have been a reprisal against the population for having collaborated with the Armed Forces of the Democratic Republic of the Congo (FARDC) and MONUC. During June and July 2005, armed Rwandan militiamen had reportedly carried out a series of attacks in the *collectivité* of Kalonge, in Bunyakiri territory, and MONUC military had carried out a routine patrol in the area of Kahuzi-Biega National Park on 7 July.

5. It is estimated that over 10,000 civilians were displaced following the attacks in Kalonge. The residents of Kabingu have been unable to return to their village and have requested assistance in rebuilding their homes.

II. Methodology

6. During the investigation, the MONUC team carried out three field missions to Kabingu and to the neighbouring *groupements* of Chifunzi and Rambo on 12, 16 and 20 July 2005. The team conducted over 60 interviews, including with victims, eyewitnesses, community leaders, the FARDC 1012th Battalion Commander, other FARDC officers and local policemen. The team also interviewed 11 survivors at local health centres (six at the hospital of Chifunzi on 16 July and five at Panzi Hospital in Bukavu on 13 and 19 July). In addition, written reports were received from the Chief of Kalonge, the Administrator of the territory of Bunyakiri and a local non-governmental organization, the Comité d'encadrement des femmes et des enfants, veuves et orphelins of Kalonge.

7. It should be noted that many residents of Kabingu fled following the attack and were unavailable for the interview when the team visited the village.

III. Crimes perpetrated

Killings, abduction and rape of civilians

8. The village of Kabingu was reportedly attacked by a group of approximately 30 Rwandan militiamen on the evening of 9 July 2005. Witnesses said that the assailants were armed with machetes, automatic weapons, grenades and torches and most wore military uniforms. The assailants reportedly came from the direction of Kahuzi-Biega National Park, an area currently under the control of the Democratic Liberation Forces of Rwanda (FDLR) and Rasta armed groups.

9. In the weeks prior to the attack on Kabingu, there had been a series of attacks by armed Rwandan groups elsewhere in the territory of Bunyakiri. Two villages in the *collectivité* of Kalonge, Rwamikunda and Chamusi, had been attacked on 2 July and several civilians were reportedly killed or abducted. On 5 July, FARDC troops, guided by some local villagers, were able to track down the militiamen in Kahuzi-Biega National Park, capture several of them and retrieve some of the looted items. Owing to the generally unstable security situation, the residents of Kabingu had begun spending nights in the forest. On 9 July, while most of the village men were out patrolling the area or in hiding, a majority of the women and children, weary of sleeping in the forest, had decided to return to Kabingu and were gathered in three huts located in the outskirts of the village. It is believed that the attack on the village of Kabingu was a reaction to the actions taken by FARDC and MONUC.

10. Eyewitnesses described how the attack was carried out. The armed men reportedly looted and set fire to the first row of huts (more than 30), starting with the hut belonging to the village chief. One survivor, who was forced out of his home while it was being looted, heard the assailants speaking Swahili and Kinyarwanda and saw them setting fire to other huts. According to another eyewitness, when the attackers reached the three huts where the women and children were hiding, they called out in Swahili asking who was inside and then blocked the doors of the huts and set them afire. A witness said he heard cries of help coming from the burning huts but was unable to assist those inside. A number of victims managed to escape the fire. One female survivor said that the assailants locked her and her six children, along with another 30 villagers, inside their hut, before setting fire to the roof. As she escaped through a window, she was stabbed with a bayonet. She was unable to rescue her children. A 13-year-old girl said that two of her younger brothers tried to escape but were hurled back into the flames by a militiaman. Another woman said that she tried to flee with her 16-month-old baby but was caught by an assailant, who flung her baby into a burning hut. The militiaman then raped and wounded her with a bayonet. She also claimed to have witnessed other women, who were hiding in her house, being raped by the assailants, an account later confirmed by other witnesses. A report from the Chief of the *collectivité* of Kalonge indicated that a total of 11 women had been raped.

11. As they left Kabingu, the armed men abducted several villagers, including four young girls. Three of them were subsequently stabbed to death and their bodies found near the village. The fourth victim, aged thirteen, escaped from her captors along with three other minors on 4 August. She alleged that she was held in the

forest with a boy and several other girls (approximately fourteen years old) who had been abducted from neighbouring villages. According to this victim, during their captivity, all the girls were repeatedly raped and compelled to serve as "wives" for the militiamen. They were also subjected to beatings and forced to walk for hours in the forest carrying sacks of looted items.

12. Another victim told the team that he and his wife were abducted and made to transport looted items to Kahuzi-Biega National Park, before eventually managing to escape. Before being taken away, the couple allegedly witnessed the assailants beating their two children, aged three and five, to death at their home.

13. On the morning of 10 July, several survivors and FARDC soldiers based in Mamba arrived in Kabingu. The local FARDC Commander ordered the villagers to bury the dead, and several witnesses who took part in the burial stated that they were able to retrieve over 40 bodies, mostly women and children. Most of the bodies were so badly burned that they could not be identified; others bore signs of machete wounds. The bodies were buried in two mass graves. Fifteen wounded were brought to local health centres for medical treatment and six later succumbed to their injuries.

14. The exact number of victims remains unknown as most of the villagers had not returned to Kabingu at the time of the investigation. However, based on the testimonies gathered, the team was able to establish that:

(a) Over 40 victims, mostly women and children, were either burned alive in their huts or killed by machete blows while trying to escape;

(b) Fifteen civilians were injured, six of whom later died from their injuries at local health centres;

(c) Eleven women were subjected to rape during the course of the attack;

(d) At least six civilians were abducted from the village, three of whom were subsequently killed.

Looting and destruction of civilian homes

15. The consistent testimonies of the eyewitnesses and victims indicated that, during the attack on Kabingu, the assailants burnt down numerous homes. Others recounted how they managed to escape from their burning homes. During the field mission, the investigation team was able to confirm that at least 42 dwellings had been burned down and it discovered two fresh mass graves near the village chief's house.

16. Local sources indicated that the same armed group had carried out the attacks and looting reported in other villages in the area in June and early July 2005. This information was corroborated by the account of the three minors, two of whom claimed to have been abducted from the village of Kwamikundu. The children also claimed that they had witnessed the armed men looting supplies in other villages.

IV. Alleged perpetrators

17. Eyewitnesses indicated that the perpetrators were Rwandans from the area of Kahuzi-Biega National Park, located approximately 20 km north-west of Bukavu.

The attackers were allegedly well-armed, approximately 30 in number, with braided hair, and spoke Kiswahili and Kinyarwanda. An FARDC source claimed that a man known as Kyombé was the leader of the armed group and alleged that the assailants had left a letter pinned to one of the bodies warning that they would continue to carry out attacks against the local community if FARDC interfered in their actions.

18. Rwandan armed groups intensified their activities in the *localités* of Mamba and Ntulo in the month of June. In one incident in late June, armed Rwandan groups allegedly kidnapped over 50 civilians along the Bukavu-Kalonge axis, and the whereabouts of those individuals is still unknown.

19. The team was unable to establish whether the armed group that perpetrated the attack on Kabingu was in any way linked with FDLR or with one of the Rasta groups operating in the area. The FDLR stronghold is located in Ekingi and the group is said to have positions in Namuhembe, an area close to the *collectivité* of Kalonge, in Bunyakiri territory.

V. The humanitarian situation

20. Following the attacks on the *collectivité* of Kalonge, an estimated 10,000 civilians fled their homes. Humanitarian assistance has been delivered to the internally displaced persons in several villages and many of the wounded have received medical treatment at health centres in the *groupements* of Chifunzi, Rambo and Mule.

21. On 15 September, during another field mission to Kabingu, MONUC child protection officers observed that the village remained deserted. According to the village elders, the residents have not returned to Kabingu because they have been unable to rebuild their homes. Recently, the villagers declined food aid provided by the non-governmental organization, CARITAS, and instead requested assistance to rebuild their village.

VI. Response of the United Nations Organization Mission in the Democratic Republic of the Congo and the Congolese authorities

22. Although a FARDC platoon (comprised of 12 soldiers) of the 1012th Battalion had been deployed near Kabingu, the assailants met no FARDC resistance when they attacked the village. Allegedly, the soldiers positioned in the hills overlooking the village fled after the arrival of the militiamen. Two FARDC soldiers told the team that their unit did not defend Kabingu because they feared the armed group's Commander, Kyombé. The local FARDC Commander explained that his troops were poorly equipped and too few in number to guarantee the security of the population in Kalonge. However, since the attack, FARDC has increased its presence in the area and has established a base near the Kabare-Rwamikundi axis.

23. On 12 July, MONUC facilitated a visit of the Deputy Prosecutor of South Kivu to the site of the massacre and the team also communicated the findings of its investigations to the Prosecutor of Bukavu. MONUC has actively supported the local judiciary in Bukavu to initiate an investigation into the massacre in Kabingu. On 25 July, a delegation headed by the Security Adviser to the President of the

Democratic Republic of the Congo arrived in Bukavu, tasked to support a judicial investigation into the Kabingu massacre. To date, however, no arrests have been made among those believed to be responsible for the attack.

24. MONUC continues to closely monitor the armed groups operating in the area. Attacks on other villages and numerous cases of abductions of civilians by these armed groups have been reported since mid-July and MONUC has increased its military presence in the area in an attempt to stabilize the security situation. From 6 to 9 September, the MONUC South Kivu Brigade and FARDC troops carried out a joint operation, involving over 1,000 troops, in an effort to search the northern portion of Kahuzi-Biega National Park for rebel groups. MONUC will continue to do all it can to support the Congolese authorities in their efforts to bring those responsible to justice.

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Letter dated 16 January 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

Reference is made to the letter dated 5 January 2006 from the Permanent Representative of Canada to the United Nations addressed to you (S/2006/13).

On instructions from my Government, I have the honour to forward to you herewith a letter from the Minister for Foreign Affairs of Uganda transmitting an official position paper of the Government of Uganda on the humanitarian situation in northern Uganda (see annex).

The Government of Uganda is giving a factual account of what is happening in northern Uganda and what the Government of Uganda is doing to address the situation on the ground.

Any call for the situation in northern Uganda to be put on the agenda of the Security Council is therefore unjustified.

I would be grateful if the present letter and its annex were circulated as a document of the Security Council.

(*Signed*) Catherine **Otiti**
Chargé d'affaires a.i.

06-21473 (E) 240106

Annex to the letter dated 16 January 2006 from the Chargé d'affaires a.i. of the Permanent Mission of Uganda to the United Nations addressed to the President of the Security Council

Attached is a synopsis of the humanitarian situation in northern Uganda (see appendix). It gives a historical background of the problem of the Lord's Resistance Army (LRA) and the ensuing humanitarian situation. It enumerates various numerous concrete interventions the Government, working in partnership with the international community, has hitherto taken to resolve the LRA scourge and alleviate the humanitarian situation of the internally displaced persons. The Government highly appreciates the support of the international community.

The attached document also outlines the Government's concrete policy recommendations to resolve the LRA problem and address the humanitarian situation in northern Uganda.

(Signed) Sam K. **Kutesa**
Minister for Foreign Affairs

Appendix

HUMANITARIAN SITUATION IN NORTHERN UGANDA.

Historical Background.

1. When the current Administration in Uganda took office in 1986, it was immediately confronted with an insecurity problem in Northern Uganda which was being organized by defeated soldiers of the Uganda National Liberation Army (UNLA); some elements which regrouped to form the renegade Uganda Peoples Defence Army (UPDA). They attacked Bibia on 28 August 1986 to which the Government forces, National Resistance Army (NRA), responded by engaging and denying them capture of Gulu, Kitgum and Lira towns. In 1988, they were compelled to negotiate.

2. The negotiations culminated into a peace treaty, in June 1988, between the NRA and UPDA. As a result, over 2000 UPDA combatants were absorbed into NRA. However, some elements of the UPDA organized under the Holy Spirit Movement of Alice Lakwena after the death of Brig Odong Latek the leader of the break away group, opted to continue fighting. Lakwena fled to Kenya after the defeat of her campaign in Busoga. The remnants of her forces were later led by Severino Lukoya, Alice Lakwena's father.

3. When they were defeated, Joseph Kony emerged to take over the reign of those forces under the new name "*the Lord's Resistance Army (LRA)*" which has since been fighting the Government to-date. By March 2002, LRA was estimated to be approximately **3000** armed fighters and around **4000** others in families and unarmed combatants. Between June and December 2002, several civilians were abducted, quickly trained and armed using weapons from caches in areas of Agoro, Kadomera, Nyono, along River Atepi and

families and unarmed combatants. Between June and December 2002, several civilians were abducted, quickly trained and armed using weapons from caches in areas of Agoro, Kadomera, Nyono, along River Atepi and Panyakwara valley. That further boosted their strength and gave them courage to invade the Teso Sub-Region.

4. Initially, the LRA operated in Northern Uganda until 1994 when they made contacts with the Khartoum Government. Subsequently, Kony relocated most of his fighters to Southern Sudan in the bases that the Sudan Government provided. The willingness, by the Government of Sudan, to receive and support LRA was premised on the unfounded fear that a strong and peaceful Uganda would naturally ally with the black Sudanese in the South to destabilize the Khartoum regime. The Sudanese Government trained, armed and organized LRA into structures that they still talk about today e.g. Gilva, Stockree, Trincle, Sinia and Control Alter Brigades.

5. Since 1988, the UPDF has undertaken a number of military campaigns, as indicated in this Document, to dislodge the LRA in their bases. As a result, currently there are only a few remnants of the LRA left who are located in isolated parts of:

(a) South Gulu namely: Omee, Zoka Forest, Kilak Hills, South of Koegoma, Laminato, and Kiguka.

(b) **Pader**: in Amida, Lapaicho in Alanga and Kapere around Goma Hills.

(c) **Kitgum** around Lamwo Hills, Agweng in Lipan, Bolo and Raska Lukwiya along River Pager.

(d) **Southern Sudan** in areas of Bilinyang and Gondokoro, and North of Juba Torit road. At times, these groups operate up-to Kit Valley.

(e) DRC /Uganda/Sudan Border in Garamba National Park.

(f) Apach and Lira Districts are generally peaceful except for few incursions by groups from Pader for food and propaganda attacks.

6. The LRA is notoriously known for its indiscriminate killing of civilians like in the picture below.

Government Interventions

(a) Peace Initiatives.

7. The **Amnesty Act** was enacted and commenced on 21 January 2000. It provides for amnesty for Ugandans involved in acts of a warlike nature in various parts of the country and for other connected purposes. The Act provides for **an Amnesty Commission** to operationalise and administer the Act.

8. The Law also provides for **Presidential Pardon.** This is complimented by **media campaigns** using local community radios e.g. Mega FM, Radio WA and Radio Freedom to convince LRA fighters to come out with assurance of non-retribution from the Government.

9. **Peace Missions undertaken.**

(a) An agreement between UPDA and NRA signed **in 1988**. Kony refused to come out from the bush with his Black Battalion and instead started forceful recruitment of children to build his movement.

(b) In **August 1994**, Kony wrote a letter to Ms Betty Bigombe, then the Minister for Pacification in the North, requesting her to approach Government for a dialogue. However, Kony had a covert plan with the Sudanese Government to ferry military equipments to Uganda which he implemented.

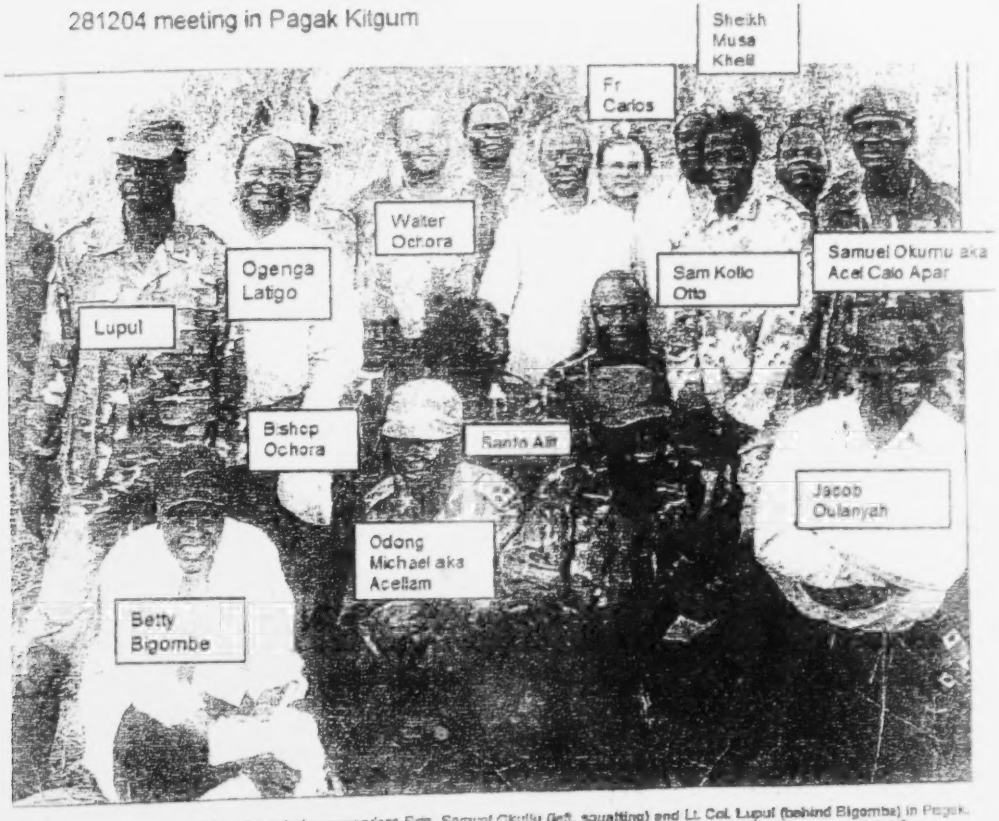
(c) In **1997**, Government composed a delegation comprising: Mr Pulkol David, Sister Rachel and German representative Mr Rudolf Decker to negotiate the release of Aboke Girls and other abducted children from Kony bases in Southern Sudan. Kony ignored them and retained the children.

(d) In **1998**, the Carter Centre initiated peace talks and delivered a letter of the President of Uganda to LRA leaders. Kony rejected the offer.

(e) In **2001,** LRA's Commander Onen Kamdule initiated peace talks with Colonel Ochora and Fourth Division Commander. On learning about this development, Kony ordered immediate arrest of Kamdule.

(f) In **2003**, Acholi Religious Leaders initiated dialogue with LRA to release women and children. Kony snubbed the efforts and instead resorted to attacking Catholic Missions e.g. Opit, Pajule etc.

(g) In **2004**, Betty Bigombe initiated contact between Government and LRA (see picture below). The Government responded positively and declared ceasefire and a safe zone for purpose of conducting the talks. However, up to 31 December 2004, a Government team led by Dr Ruhakana Rugunda was at Paluda in Kitgum waiting for LRA team that never surfaced.



HISTORIC: Chief negotiator Bigombe, rebel commanders Brig. Samuel Okullu (left, squatting) and Lt. Col. Lupul (behind Bigombe) in Pagak, Kitgum on Tuesday. Far right is Omoro County MP Oulanyah and the LRA spokesmen, Brigadier Sam Kolo (standing, second right).

(b) Humanitarian Efforts

10. There are 144 camps for Internally Displaced Persons (IDPs) as follows: Gulu (53); Kitgum (23); Pader (30); Lira (24); Apac (14). These camps were

created in 1995 to enable the UPDF provide security to civilian population from the marauding LRA groups that were conducting systematic and gruesome massacres. As a consequence of those attacks, the security of IDP camps was restructured. With improved security around the camps, cultivation to supplement WFP supplies has been possible up to 5 to 7 km from the main camps.

11. Government in partnership WFP provides 90% of the food needs of the IDPs (Government 15%, WFP 75%). Government in addition, supports food production around the IDP camps by deployment of UPDF and Auxiliary Forces to a radius of 3 kms around each camp and two kms along the roads thus making IDPs capable of accessing production land to meet up to 26% of their food needs. This is the reason why some IDP camp population have some food for sale at markets. In the past 18 months Government and WFP provided IDPs with 143,210 metric tons of relief food.

12. Besides the input of Government and WFP, a number of NGOs are involved in the provision of relief and other services e.g. water drilling, medical services, classroom construction, provision of non-food items etc. Such NGOS include MSF, NRC, COOPI, CARE, CONCERN, AVSI, SCIU, ACF etc. So far in Gulu and Pader alone, a total of 469 boreholes have been sunk.

13. Under the **Northern Uganda Social Action Fund (NUSAF)**, Government, with the support of the World Bank, has between July 2004 and December 2005 funded 4051 sub-projects bringing a total disbursement to poor communities in Northern Uganda to USD 40million (Ug. Shs. 72billion).

14. The Project objective is to empower communities in the 18 districts in Northern Uganda by enhancing their capacity to systematically identify, prioritize, and plan for their needs within their own value systems. Implementation is done through sustainable development initiatives that improve socioeconomic services and opportunities and contribute to improved livelihoods by placing money in the hands of communities.

15. The NUSAF has three main components:

(i) Community Development Initiatives (CDI) which focus on activities that contribute to community harmony and building of social capital including: training and capacity building of community peace promoters; traditional reconciliation ceremonies targeting formerly abducted children; community peace meetings; and psycho-social activities of people in IDP camps. 1811 sub-projects have been implemented as at 31 December 2005.

(ii) Vulnerable Group Support (VGS): 1980 sub-projects have been implemented as at 31 December 2005.

(iii) Community Reconciliation and Conflict Management (CRCM). 260 sub-projects have been implemented as at 31 December 2005.

(iv) Institutional Development is a support component to the core three components.

Resource allocation for districts in Northern Uganda benefiting from NUSAF support

	Funded S/P	Total allocation	%	1st Tranche	2nd tranche	3rd Tranche	Total	Balance	Committed balance
Adjumani	98	2,816,787,639	1.8	728,481,659	358,253,144	136,984,284	1,221,719,087	1,595,068,552	235,244,231
Apac	569	14,428,222,776	9.1	4,589,287,305	298,716,067	117,566,829	5,003,570,201	9,424,652,575	4,175,004,409
Arua	328	19,967,178,262	12.6	3,211,962,143	706,600,214	88,008,261	4,006,590,618	15,960,587,644	2,417,373,668
Gulu	295	11,022,384,298	7	2,478,968,225	72,634,046		2,551,600,271	8,470,783,967	2,406,332,179
Kaberamaido	113	3,434,218,135	2.2	940,914,946	306,995,343	45,382,018	1,295,302,307	2,138,915,828	586,527,585
Katakwi	230	6,874,472,470	4.4	2,254,127,764	532,466,601	224,948,317	3,011,542,682	3,862,929,788	1,498,712,846
Kitgum	312	15,635,968,276	9.9	3,211,232,321	572,174,615	9,952,314	3,793,359,250	11,842,808,026	2,629,105,392
Kotido	138	7,166,959,507	4.5	1,773,381,249	816,976,891	23,086,256	2,563,444,396	4,603,515,111	883,318,102
Kumi	449	9,819,537,244	6.2	3,113,277,800	440,139,778	171,090,510	3,724,508,088	6,095,029,156	2,502,047,512
Lira	347	15,035,350,649	9.5	3,567,098,760	1,222,577,473	1,456,406,620	6,296,082,853	8,769,267,796	908,114,667
Moroto	254	4,822,480,757	3.1	1,770,818,587	454,347,457	90,114,532	2,315,280,576	2,507,200,181	1,226,356,598
Moyo	128	2,245,402,915	1.4	1,033,793,341	325,526,281	150,671,148	1,509,992,750	735,410,165	557,593,932
Nakapiripirit	74	3,851,031,915	5.7	982,932,563	464,847,431		1,447,779,994	2,403,251,921	518,085,132
Nebbi	141	8,942,581,784	2.4	1,052,667,491	361,546,858	2,022,300	1,416,236,647	7,526,345,137	689,098,335
Pader	99	7,687,652,799	4.9	1,364,325,236	202,882,286		1,567,207,522	6,120,445,277	1,161,442,950
Pallisa	177	12,753,288,095	8.1	2,468,770,899	1,309,423,721	121,184,503	3,897,379,123	8,855,908,972	1,036,162,675
Soroti	155	8,415,409,848	5.3	1,921,404,614	666,252,801	387,382,810	2,975,040,025	5,440,369,823	867,789,203
Yumbe	124	3,096,759,834	2	1,111,763,939	386,936,713	66,310,162	1,565,010,814	1,531,749,020	658,517,064
Total	4051	158,015,487,163	100	37,543,228,842	9,439,298,498	3,889,126,864	58,131,647,204	167,884,839,959	24,954,886,480

16. **Acholiland Project** started in August 2001 and is expected to end in June 2006. It involves three Districts of Gulu, Kitgum and Pader. The total value is Euros 4 million. The aim is to improve the standard of living of the people by mobilising stop-gap funding in the areas of health, education, water and sanitation etc. It also assists in capacity building in terms of training and logistical support in those priority areas.

17. Three successor projects to Acholiland Project are being developed to cover not just the three Districts but also Districts in Teso, Lango and West Nile Regions, namely:

(i) Support to Decentralisation – Euros 20 million.

(ii) Human Rights Programme – Euros 10 million. It is to support Justice, Law and Order Sector.

(iii) Northern Uganda Recovery Programme is currently under preparation. It is worth Euros 20 million. The Plan entails four strategic objectives, namely:

- Consolidation of State Authority;
- Rebuilding and Empowerment of Communities;
- Revitalisation of the Economy;
- Peace Building and Reconstruction.

18. An **IDP Policy** was launched in August 2004. It provides for an Inter-Ministerial Policy Committee (IMPC) for Management of the humanitarian situation in Northern Uganda. The 1st Deputy Prime Minister and Minister for Disaster Preparedness and Refugees chairs the IMPC and it includes eleven other Ministers who meet regularly.

19. The IMPC is assisted by the Inter-Agency Technical Committee (IATC) which comprises technical officials from all Ministries, UN Agencies, some donors and other International Humanitarian Organizations and NGOs. The IATC has sub-committees, namely:

(i) IDP Human Rights and Protection;
(ii) IDP Camp Decongestion;
(iii) IDP Camp Management;
(iv) IDP HIV/AIDS Management;
(v) Health and Nutrition;
(vi) Water and Sanitation;
(vii) Food Security;
(viii) Non Food Items Relief.

20.At Local Government Levels, Government established District Disaster Management Committees (DDMCs) and Sub County Disaster Management Committees (SCDMCs) which are made up of Technical Heads of Government Departments, Representatives of UN Agencies working at that level, NGOs and Civil Society Organizations.

21.In Gulu, Pader and Kitgum, the **Decongestion Programme** is ongoing and involves the creation of smaller camps in parishes out of the big camps existing at Sub-County level. For instance:

- Jengari, Otong, Bira camps have been created out of Pabbo, Palukere, Pawel;
- Abalokodi created out of Atiak, Corner Nwoya
- Langol created in Nwoya County
- Corner Agura and Adak created in Omoro County.
- In Pader, 37 new camps have been proposed. Six (6) have been approved and construction started. These are; Tyer (Achol Pii), Laminyo, Dure, Pajula, Olung and Ligiligi.
- In Kitgum, four (04) camps have been created at Pangira, Ngomoromo, Aweno olwiyo and Oryang. These are to ensure that the people are taken to or near their homes as much as possible.

22. Specific Government Interventions in Education

(i) Re-stocking schools in Northern Uganda with scholastic materials;

(ii) Rehabilitating classrooms and Teachers Quarters;

(iii) From June 2004, Government has been paying UGX. 47,077 per term for students whose parents live in the IDP camps. In the financial year 2004/5 Government paid UGX 3,213,687,500/= (US$ 1,700,000) in fees for IDP children.

23. Interventions in Health Services

Government and WHO carried out a Health and mortality survey from January – July 2005.The results showed a total mortality of 1.54 deaths / 10,000 persons/day equivalent to excess deaths of 378 deaths/1,000,000 persons/week and a normal *expected* deaths of 700 deaths/1,000,000 persons/week. This is as opposed to 1,000 deaths/ 1,000,000 figure by the United Nations.

Health Interventions

(a) National Task Force of all stakeholders in the health sector established to initiate, implement and review activities for the health sector in Northern Uganda.

(b) District Health Task Forces and the District Disaster Management Committees have enhanced the District Health teams providing medical services to the IDPs.

(c) A National Emergency Health Plan for the Conflict affected districts is in place addressing key medical needs and mechanisms of intervention as follows:

- Home Based Care (Village Health Teams, HOMPAK, Safe Delivery, First AID Kits)
- Immunization + Special campaigns e.g. Measles, Child Days- coverage of measles over 90% and polio 100%.
- Additional drugs supplies – Allocation 25% bonus above other districts, larger Credit Lines and Grants).
- Therapeutic Feeding Centers at each district.
- Rehabilitation of Land Mine Victims – Gulu Referral Centre rehabilitated, assistive devices provided.

- Special supplies purchases, 26 vehicles, 25 motorcycles and computer equipment purchased and handed over in September 2005.
- Epidemics Cholera, Dysentery, HIV/AIDS being handled and case fatality lowest.

Trends of ***mortality and malnutrition***

Under five mortality (U5MR):

- Gulu- A 50% reduction in *under five mortality* from 5.7 deaths/10,000 population/day to 2.31 between 2003 and 2005.In Pader- A 20% reduction from 2004-2005.
- In Gulu – A 40% reduction in *Global Acute Malnutrition* (GMR) from 2001 – 2004.

Way forward in the Health Sector

- The Ministry carried out health and nutrition assessments, identified gaps and key areas of intervention, that include;
  i. coordination - recruit of Focal Person at the National and districts levels.
  ii. scaling up prioritization of interventions to tackle malaria, HIV/AIDS, maternal and child health
  iii. prioritization of inputs (human resource, medicines, infrastructure) – including incentives to attract and retain health workers.
  iv. prioritization of cross cutting issues (health information, sanitation, water, nutrition, security and decongestion)
- Strengthening management at district level
- Modifying policy to adapt to needs and not geographical coverage.
- Regularly conducting surveys to monitor trends e.g. Cohort follow up, and registration of births and deaths.

- Reviewing Annual Emergency Work Plans in time.

24. Interventions in the Water and Sanitation Sector

(a) Ug. Shs 1.7bn was allocated in 2005 by Government for implementing water supply systems in IDP camps.

(b) The towns of Katakwi, Aduku, Adjumani, and Laropi hosting IDPs have been provided with piped water supply systems.

(c) The IDP Camps of Pabbo, Anak, Palenga, Atyak, Katakwi and Serere where production boreholes had been drilled, simple motorized systems have been installed and are operating. .

(d) The Ministry of Water Lands and Environment has developed an emergency response strategic plan for water supply and sanitation, mainly focusing on IDPs.

(e) The Strategic Intervention includes:

- Continue working through local Government, NGOs and Private Sector.
- Directly disburse NGOs funds but notify District Authorities.
- The Technical Support Units (TSU) coordinates and provides technical support and supervision to private operators.

25. Interventions in the Area of Food security

The Government in the year 2005 instructed Local Governments to re-allocate funds from Local Government Development Programmed (LGDP) and Plan for Modernization of Agriculture (PMA-Non Sectoral Conditional Grants) to procure the food production inputs for IDPs who access land.

26. As a result of improved security, the people in:

(i) Teso and Lango have largely left camps and gone back to their homes.

(ii) In Lira District the IDP camps at Bata and Okwalongwen have completely left the camps for their original villages. IDPs in Obim rok, Abako, Alanyi, and Amogo camps are also leaving for their homes. These movements are voluntary.

(c) Security Roads.

27. Since life in the camps cannot be complete without the movements by the people to procure necessities, and because the population in the camps largely depend on relief aid that the Government and NGOs supply using roads, the issue of road security is of very paramount concern to the Government. To this end, the UPDF has ensured regular patrols on roads, provided escorts to WFP and other humanitarian agencies and NGOs whose organizational regulations allow them to have escorts. A full UPDF Battalion supported by armoured cars is committed to this programme. (see picture below)

28. As a result of security provided, and save one ambush that occurred on Lira-Kitgum road on a pick-up truck in July 2005, no other ambush has been registered on major roads of Gulu-Kitgum, Gulu-Karuma, and Karuma-Pakwach since the beginning of 2005. Only isolated ambushes have occurred in Kitgum and Pader Districts targeting unescorted civilian and NGO vehicles e.g. ambushes of 13 December 2005 between Alot and Omoro, 25 October 2005 on a CCF vehicle near Okwang and 21 November 2005 along Pader-Pajule road in which an aid [illegible] was burnt. As a result of these recurrences, security along these feeder roads has been further restructured with increased manpower and patrols.

29. Escorts have enabled uninterrupted flow of relief supplies to IDP camps. Those NGOs that don't allow escorts usually consult the Army authorities to be advised on the security of the roads they intend to use.

30. Besides, some security roads have been constructed such as:

(i) Acholibur-Latanya-Wol road.

(ii) Madiopei-Lipan-Akilok road,

(iii) Labwor yeng-Nyono-Paluda road.

(iv) Tembo road in Gulu.

(v) Pabbo-Olamnyungu-Adjumani road.

(vi) Amuru-Wichei-Zoka forest road.

(vii) Kochgoma-Cwero-Omelapem road.

(d) Military Campaign

31. Various campaigns have also been conducted by UPDF to dislodge the LRA in their bases. Specifically:

(a) In 1995, Government forces attacked Kony's base at Palutaka and overrun it.

(b) In 1997, another offensive was launched that overrun Kaya, Jabilen, Aruu Village, Tingiri and Aruu Junction LRA/SPAF deployments.

(c) In September 1998, during an offensive codenamed "Operation Zero", the remaining bases at Jabilen were attacked and overrun.

32. The UPDF Zonal Forces have been in control of most of the notorious hideouts of the LRA in Northern Uganda. Specifically in the following:

(i) Pader District: Koyo Lalogi, Nairobi, Lacor, Opate, Wipolo, Kalawinya, Goma Hills, Latanya, Kimya Valley, Aywe Labuje, Palaro, Luzira, Entebbe, Omot etc.

(ii) Kitgum: Nyono, Kadomera, Adodi, Lipan, Lamwo Hills, Lalak Forest, Ori, Pawena etc.

(iii) Gulu: Zoka Forest, Arebe Hills, Kilak Hills, Got Kwara, Lebngec, Kiba, Atto Hills, Kiguka etc.

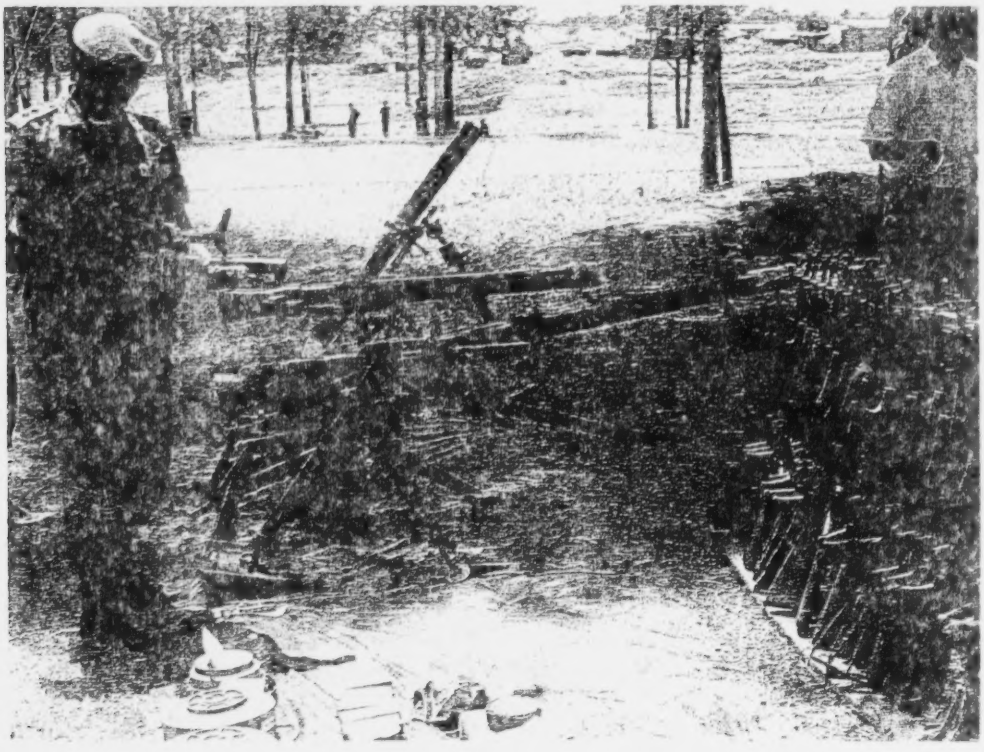
(iv) Lira: Otuke Hills, Omonyole, Mugira Hills, Anyalima, Gwotjwang, Gulugoi, Laminacwida, Awonodwe, Atenge etc.

33. These campaigns weakened but did not annihilate the LRA as the survivors relocated further North around Juba where they continue enjoying support and shield from Sudan.

34. Because of the intense diplomatic and military pressure exerted by Uganda on the Sudan, the latter in Feb 2002 agreed to sign a landmark Protocol allowing the UPDF to move and attack all LRA identified bases inside Sudan at Bin Rwot, Lubangatek, Kempacho, Lalar and Kony's farm; in order to rescue thousands of children then in LRA camps. The successful attack of these camps caused some of the surviving elements to flee back into Uganda around June 2002.

35. These and other operations led to the capture of heavy calibre weapons from the enemy forcing the LRA to resort to using; submachine guns, RPGs and PKMs. However, through guided operations using LRA defectors, the UPDF continues to recover some of their support weapons they buried because of our pressure and lack of ammunitions for them.

36. Since March 2002, a total of **2922 submachine guns** have been recovered. Various other weapons of different calibres have also been recovered including those that were captured when the UPDF attacked the main camps of Bin Rwot and Lubangatek, whose value was estimated to be around 3 billion shillings. Below are some of the Arms and ammunition recovered from LRA.



37. As the LRA was fleeing their main bases into Uganda, those reckless enemy manoeuvres gave the UPDF an opportunity to engage them in a number of successful battles in which prominent LRA Commanders like Tabuley, Tobert Nyeko, Okello Trigger, Livingston Opiro, Opiro Anaka, Dominic Ogwen and recently Kapere were eliminated. In total, over 80 LRA commanders have been killed in various operations.

38. Due to military pressure, **2995** others have defected while **801** were captured in various battles. However, there are deaths that have occurred in the bushes due to natural causes like that of John Matata, John Lagoga and several others who pass unreported.

39. Due to neutralization of various LRA fighters and their commanders, the enemy command structure has broken down reducing their capacity to plan. The losses incurred have also reduced their manpower levels to bear minimum thus making them vulnerable to go out and operate.

40. The defection of senior LRA commanders like Kolo, Kamdule, Okot Ayoli, Lagulu, and Apire Ray among others has demoralized the fighters limiting their activity to conducting looting for survival or launching desperate propaganda attacks especially on opportunity targets.

41. Except for a few hardcore Commanders like Ben Achellam, Okuti, Otti and Odiambo, who still believe in Kony's cult and myth, the rest of the junior commanders and combatants have since realized that Kony's spirits can't offer them any protection. As a result whenever they are sent to commit atrocities, they end up defecting.

42. Currently, the armed bandits dispositioned in Garamba National Park, Southern Sudan and mid-North are estimated to be between **500** to **600** of which **370** are original LRA fighters.

43. Co-operation of the Government of Sudan since 2002 enabled Uganda to dislodge the LRA from their major bases from where they would retreat, plan and organize to wreck havoc inside Uganda.

Rescue Operations

44. The last major abductions were that of 41 students of Lacor Seminary in early 2003 and that of about 100 students of Lwala Girls in Kaberamaido in June 2003. However, 30 Seminarians and several Lwala girls have since been rescued.

45. Between 2002 and December 2005, 17,779 abductees have been rescued and handed over to over various reception centres for psycho-socio rehabilitation and subsequent re-union; while others have gone direct to their homes. Such reception centres included:

(i) World Vision in Gulu -4,068

(ii) Gulu Save the Children Organization (GUSCO) -2,986.

(iii) Kitgum Concerned Women Association (KICWA) -2,644.

(iv) Concerned Parents Association (CPA) -1,443.

(v) Christian Counselling Fellowship (CCF) -945.

(vi) Achan Soroti - 1083.

(vii) Caritas Pajule - 2,081.

(viii) Caritas Apac - 95.

(ix) Rachel Rehabilitation Centre -2,354.

46. Among those rescued in Sudan and flown from Juba to Gulu also include some of Kony's wives and children shown below.

47. The UPDF continues to make all efforts possible to rescue those remaining in captivity including those that were born there. The magnitude of abduction of civilians by remnants has greatly reduced because of:

(i) the tightened security around IDP camps including escorting civilians as they move to distant gardens for cultivation and harvest;

(ii) increased military pressure which has forced the remnants to go into concealment;

(iii) fear by remnants to abduct and swell their numbers as that will create obvious trails.

(e) Re-absorption of ex-LRA into the UPDF

48. 1102 ex- LRA fighters who either defected or were captured have since been retrained and absorbed into the UPDF. Of these, 49 underwent an Officer Basic Course (OBS) at Jinja Military Academy after which they were commissioned as Officers of UPDF on 28 Aug 2005 and subsequently deployed in various units as Commanders.

49. Besides those that were absorbed into the Army, the rest who were either disqualified by age, health or unwillingness were handed over to reception centres for reintegration.

(f) Other Interventions.

50. The International Criminal Court has indicted Kony and four other Leaders of the LRA for war crimes and crimes against humanity. Dominic Ongwen, one of the five, was killed by the UPDF recently. The other four are still at large. Uganda is fully committed to cooperating with the ICC to arrest and handover the four indicted commanders for prosecution. The other fighters who are not in this category can still benefit from the ongoing Amnesty and Presidential Pardon.

51. When LRA crossed into Teso, both the Political Leaders and the local population rejected them, quickly mobilized a force known as Arrow Boys that together with UPDF managed to defeat the invaders in only five months. This is because since the defeat of UPDA in 1988, Teso region has largely been peaceful and people wanted it to remain so.

52. The situation replicated itself in Lango when the fleeing bandits from Teso invaded Lira from October 2003 to around April 2004. Despite some political disagreements between Lango politicians and Government, the former were quick to help in the mobilization of 7000-strong Amuka Force that together with UPDF routed LRA out of Lango.

53. In Acholi Sub-Region, obvious positive signals continue to build in people's attitude towards the Government and its conduct of the campaign against the LRA.

54. The improving situation has been occasioned by improvement in security that has allowed free movement, concrete emerging signals that the Government is ending the war, people have gradually regained the inherent

right to live, direct interventions by the Government in improving their welfare, especially through NUSAF, coupled with an increase in NGO participation, the improving discipline of the Army, security mobilization by Local Politicians and UPDF Commanders etc.

55. As a result, the level of collaboration has gone down, information flow from the civilians to the Army about enemy activities has improved; the people have been generally responsive whenever the Army conducts recruitment exercises and there has been increase in general participation in politics as a sign of confidence in the Government.

Way Forward

56. The situation in Northern Uganda today is far much better than has at times been portrayed.

(a) As indicated above, Government has been involved in a number of interventions which have greatly improved the overall humanitarian situation.

(b) Through enhanced capacity of the UPDF, in terms of logistics and equipment its mobility and capacity to confront the remaining isolated pockets of elements of the LRA has been greatly enhanced. This together with the increased cooperation and support of the SPLM/A and the Sudanese Defence Forces has deprived the LRA of hideouts in Sudan which in the past were its safe heaven. These elements are now desperately on the run for their own survival

(c) Government and the World Food Programme have pooled resources together to provide 90% of the food requirements to the IDPs with the

remaining portion being provided by the IDPs themselves through farming in safe areas around IDPs camps. In fact in the last few months alone Government provided a considerable amount of farming tools and implements including 87,136 hand hoes, 46,760 machetes, 6,504 axes, and planting materials 85 tons of sorghum seeds, 2,550 bags of cassava cuttings, 22 tons of finger millet, 66 tons of bean seed, 11 tons of cow peas seed, 0.44 tons of eggplant seed, 0.44 tons of okra seed. These efforts have greatly improved the general food situation of the IDPs.

(d) Access to potable water in the Districts of Gulu and Kitgum is 60% which is above the national average.

(e) The health situation in the IDPs camps is certainly much better than the way it is portrayed in the report. Meseales has been eliminated through immunisation. There are no reported Polio cases in the camps in fact the emergency death in Northern Uganda is 300 cases per week per million as compared to sub Saharan Africa estimated average of 700 cases per million.

57. In terms of the way forward, Uganda Government recommends *inter-alia*: the following:

(a) Sustained intensified political and diplomatic pressure on the DRC and the Sudan to disarm arrest or neutralise the remaining elements of LRA terrorists in their territories. In the case of those arrested, to fully cooperate with the International Criminal Court by implementing the arrest warrant issued by the court on the terrorist leaders and to hand over others not covered by the arrest warrant to Uganda so that they may face justice in accordance with her Penal Code.

(b) Effectively and fully supporting the African Union efforts to forcefully disarm all armed groups in Eastern DRC including LRA elements currently in Garama National Park in Eastern DRC.

(c) Increased support to Uganda in her continuing efforts to modernise and equip the army so that the remaining elements of LRA terrorists are effectively neutralised once and for all thus expediting achievements of normalcy and peace throughout the Northern Uganda.

(d) Increased humanitarian support including financing of some components of the National Resettlement Strategic Plan for IDPs as well as in terms of food, shelter, and farming tools and implements in the short run; appropriate support for disengagement of IDPs camps and resettlement of IDPs in the medium term; and massive infusion of resources for reconstruction and development in the long term.

Ministry of Foreign Affairs
Kampala, Uganda.

United Nations A/ES-10/316–S/2006/30

General Assembly
Security Council

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19 January 2006

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General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-first year

Identical letters dated 19 January 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

In the past week, the situation in the Occupied Palestinian Territory, including East Jerusalem, has been marked by a systematic effort on the part of Israel, the occupying Power, to obstruct and thwart the planned Legislative Council elections, scheduled for 25 January, and the serious efforts of the Palestinian Authority to maintain calm and resume negotiations. This systematic Israeli effort has entailed the harassment and detention of election candidates and their staff, the escalation of violence against Palestinian population centres through more frequent and deadly incursions, the extrajudicial execution of Palestinian activists and the continued restrictions on movement imposed on Palestinian civilians.

Despite international efforts made to ensure that Israel, the occupying Power, fulfils its obligations regarding the facilitation of Palestinian elections in occupied East Jerusalem, the occupying Power has announced that it will allow elections, with the stipulation that it will decide who can run election campaigns or participate in the elections come 25 January. This announcement, rejected by the Palestinian Authority as it stands in stark contravention of the signed agreement regarding elections also goes against the spirit of democracy that the Palestinian people and the international community are working tirelessly to cement in the Palestinian political system. Additionally, the actions of the Israeli occupation forces in this regard have been reprehensible in occupied East Jerusalem, specifically, and the rest of the West Bank, more generally. In the past week, candidates from a variety of political groups and backgrounds have been hassled, harassed and, even worse, arrested. Campaign offices in occupied East Jerusalem have also been repeatedly raided and closed down by the occupation forces. Here, we must stress that these unwarranted and antagonistic actions by the occupying Power threaten Palestinian democracy and more immediately the prospect of holding elections altogether on schedule

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Concurrent with these developments is the increase in military assaults carried out by Israeli occupation forces against Palestinian cities, villages and refugee camps. Such assaults continuously cause the death and injury of innocent civilians in addition to the destruction of property and the long-term devastation brought on the local economy. On 15 January, one such military assault turned into a devastating tragedy for one family in the village of Rujeeb, near Nablus. During the dawn hours of that day, Israeli Special Forces raided and encircled the home of the Al-Halabi family in Rujeeb. When Nawal, 50 years old, opened the door to see the reason behind the commotion around her house, she was shot 15 times and killed by the occupation soldiers. Her son Fawzi, 20 years old, was also shot dead. The tragedy did not stop there, as the occupation soldiers continued to fire indiscriminately at family members attempting to rescue the mother and son as well as signal to the soldiers that they were unarmed civilians. The results were devastating, with the injury of Munjed, the father, in addition to three of his sons and a daughter. The tragedy of the Al-Halabi family shocked the entire nation and made calls for continued calm on the Palestinian side seem futile, as Palestinian families continue to witness such untold tragedies befall innocent families across the country without cause or justification.

In addition to the military incursions, Israeli occupation forces continue to carry out Israel's illegal policy of extrajudicial execution of Palestinians. The latest such execution was carried out against 23-year-old Thabet Salah Al-Din in Tulkarm on 17 January. His assassination, along with the assaults against other Palestinians, has fuelled anger in the Occupied Palestinian Territory and further complicated official Palestinian steps taken to restore calm and order. More importantly, these extrajudicial executions are in grave violation of international law, including international humanitarian law.

On another front, Israel's flagrant violations of its obligations to the road map and international law have also produced an intensely violent situation in Hebron. For the past five days, Israeli settlers in Hebron's old city have been burning down Palestinian homes and shops, stoning Palestinian families and wreaking havoc in the city's old quarters. This situation highlights the danger that the continued illegal Israeli settlement activities pose to the safety of Palestinian civilians and their properties across the Occupied Palestinian Territory, including East Jerusalem. It must also serve as further incentive for the international community to insist that Israel respect its obligations towards international law, particularly international humanitarian law, and cease the illegal settlement activities, including the construction of the wall, which the International Court of Justice deemed illegal on 9 July 2004.

The international community, in accordance with the rules and principles of international law, including international humanitarian law, has clear responsibilities in terms of ensuring the proper conduct of the occupying Power, including compliance with its legal obligations and commitments. Moreover, measures must be taken to prevent the further escalation of this Israeli military campaign against the Palestinian civilian population that remains helpless and without any protection from the brute force of the occupying Power. The continuation and intensification of Israel's military campaign against the Palestinian people will clearly lead only to more bloodshed and to more suffering by innocent civilians on both sides, which should be avoided at all costs.

This letter is in follow-up to our previous 229 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 13 January 2006 (A/ES-10/315-S/2006/20), constitute a basic record of the crimes committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

Accordingly, in follow-up to the above-mentioned letters, it is my profound regret to inform you that since our last letter to you, at least six more Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 3,761. (The names of the martyrs that have been identified are listed in the annex to the present letter.)

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Riyad **Mansour**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 19 January 2006 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem (Friday, 13 January, to Tuesday, 17 January 2006)

Friday, 13 January 2006

1. Jamal Al-Shaikh Al-Aid
2. Moataz Tahcine Abu Khalil
3. Ali Abdelatif Abu Khalil

Sunday, 15 January 2006

1. Nawal Douikate Al-Halabi
2. Fawzi Monjid Al-Halabi

Tuesday, 17 January 2006

Thabet Mahmoud Salah Al-Din Iyada

United Nations S/2006/31

Security Council

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20 January 2006
English
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Identical letters dated 17 January 2006 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General and to the President of the Security Council

It is my pleasure to forward to your kind attention the letter of H.E. Mr. Abdurrahman Mohamed Shalgam, Secretary of the General People's Committee for Foreign Liaison and International Cooperation, containing the response on what was mentioned in the letter of the Group of Experts in charge of assisting Security Council Committee established pursuant to Security Council Resolution number 1591 (2005) concerning the Sudan, along with a synopsis of the continuous efforts that the Libyan Arab Jamahiriya has exerted to help resolve the problem of Darfur.

I would be very grateful if Your Excellency would circulate the enclosed letter as an official document of the Security Council.

(*Signed*) Ahmed A. **Own**
Chargé d'Affaires a.i.

06-21559 (E) 230106 230106

Annex to the identical letters dated 17 January 2006 from the Chargé d'affaires a.i. of the Permanent Mission of the Libyan Arab Jamahiriya to the United Nations addressed to the Secretary-General and to the President of the Security Council

We in the Great Jamahiriya have examined the letter of the Panel of Experts assigned to assist the Security Council Committee established pursuant to resolution 1591 (2005) concerning the Sudan, in which it is stated, inter alia, that the armed movements in the Darfur region acquire arms, ammunition and other military equipment from inside Libyan territory and that specific entities in Libya provide leaders of the Sudan Liberation Movement/Army (SLM/A) with sums of money.

With reference to the content of the passages in the letter of the Panel of Experts, we should like to inform you of the following:

1. The Socialist People's Libyan Arab Jamahiriya has provided no arms, ammunition or military equipment of any type to the armed movements in the Darfur region or to the other parties to the conflict, nor any equipment of military use, since it is our belief that the best means of resolving the problems in the Darfur region is to support the peace efforts.

2. Special Libyan forces are amassed on the joint borders with the Sudan and Chad and have been supplied with all the necessary equipment in terms of vehicles, aircraft and helicopters for monitoring any suspicious movements and countering any attempt to smuggle arms. The Libyan authorities are committed to coordinating with the authorities in both Chad and the Sudan in order to take stern action against any elements with proven involvement in smuggling activities, given the danger posed to our national security by smuggling.

3. Since the crisis first erupted in Darfur, the Libyan Arab Jamahiriya became aware its continuation would have adverse consequences, not only for the neighbouring States of the Sudan but also for the entire African continent. The Libyan Arab Jamahiriya consequently took the initiative to call for meetings of popular figures, the civilian administration, local chiefs and elders to be convened in the interest of achieving social peace and creating an environment conducive to the implementation of any peace agreement that might be reached through the Abuja forum. The Libyan Arab Jamahiriya also instigated two African Union summit meetings in order to address the issue of Darfur, in addition to which it has taken part in all of the meetings held for a peaceful settlement of the crisis and effectively participated in the work of the Joint Commission to monitor implementation of the ceasefire in Darfur. Annexed hereto is a document summarizing our demonstrable efforts, which have helped substantially to eliminate tension and promote genuine endeavours to achieve peace and security in the region.

(*Signed*) Abdurrahman Mohamed **Shalgam**
Secretary of the General People's Committee
for External Liaison and International Cooperation

Enclosure

Document summarizing the efforts of the Libyan Arab Jamahiriya to assist in resolving the Darfur problem

The Great Socialist People's Libyan Arab Jamahiriya has demonstrated continuing efforts in seeking to resolve the Darfur problem. As part of these efforts, it has hosted several meetings at non-governmental levels in the Darfur region, as well as two African summit meetings aimed at resolving the crisis. The following points contain further clarification of these efforts:

1. During 2004 and 2005, the Great Socialist People's Libyan Arab Jamahiriya hosted a number of meetings aimed at helping to resolve the Darfur problem. Bringing together numerous figures from Darfur, the first meeting was held during the period 8-23 September 2004. The second meeting involving the civilian administration was held in the first week of January 2005. In May 2005, the third round of the dialogue between the region's civilian administration and armed movements was held, culminating in the issuance of the first and second Tripoli declarations, both of which helped to reduce the sharp tension in the region and consequently opened up routes and paths for trade and grazing activities there.

2. The Great Socialist People's Libyan Arab Jamahiriya hosted two African summit meetings on the Darfur problem. The first was held on 17 October 2004 and the second on 16 May 2005, each issuing a declaration comprising resolutions aimed at preparing the right conditions for a political solution to the problem in order to establish firm bases for security and stability in Darfur and throughout the Sudan.

3. Libya participated in every round of the Sudanese negotiations on the conflict in Darfur. As a facilitator in these negotiations, it played a part in the rapprochement of views among the parties and in their signature of two protocols on enhancing the security situation and improving the humanitarian situation. It also helped in reaching the agreement on the Declaration of Principles for the resolution of the Sudanese conflict, which was signed during the fifth round of the Abuja negotiations. In addition, it participated in all meetings of the Ceasefire Commission emanating from the N'Djamena Agreement signed in April 2004.

4. The Libyan Arab Jamahiriya signed a 10-year memorandum of understanding with the World Food Programme in order to facilitate the passage of relief to the inhabitants of the Darfur region, thus providing a corridor for approximately 4,000 tons of weekly supplies to the victims of the crisis. Under the terms of this memorandum, the Libyan Arab Jamahiriya also undertook to provide free storage for these aid supplies, exempt them from customs charges and offer preferential transport tariffs, thereby enabling the provision of thousands of tons of humanitarian aid to the inhabitants of the region and the refugees on the borders with Chad.

United Nations S/2006/32

Security Council

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Letter dated 18 January 2006 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the United Nations Stabilization Mission in Haiti (MINUSTAH), which was established on 1 June 2004 in accordance with Security Council resolution 1542 (2004).

Following the sad loss of Lieutenant General Urano Teixeira da Matta Bacellar (Brazil) on 7 January 2006, it is my intention to appoint Lieutenant General José Elito Carvalho de Siqueira (Brazil) to the post of Force Commander of MINUSTAH.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

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